

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application No. : 09/699,402 Confirmation No. : 6990
First Named Inventor : Masahiro MATSUO
Filed : October 31, 2000
TC/A.U. : 2131
Examiner : A K MOORTHY

Docket No. : 038849.49341
Customer No. : 23911

Title : Network Apparatus

AFTER FINAL REQUEST FOR RECONSIDERATION

Mail Stop AF

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

In response to the final Office Action dated October 3, 2008, reconsideration and allowance of the above-identified application are respectfully requested. Claims 2, 4-12, 16, 18-20 and 22-26 remain pending.

Initially, it is noted that a Petition to Withdraw Finality was filed on October 7, 2008, and a decision has not yet been issued. Accordingly, Applicants respectfully request that a decision on this Petition be issued in order to clarify the status of the Office Action issued on October 3, 2008.

Claims 2, 4-12, 16, 18-20 and 22-26 are rejected as being obvious under 35 U.S.C. § 103(a) in view of the combination of U.S. Patent No. 5,867,821 to Ballantyne et al. ("Ballantyne") and U.S. Patent No. 6,266,664 to Russell-Falla et al. ("Russell-Falla"). This ground of rejection is respectfully traversed.

Applicants' claim 2 recites that

- a main device is "configured to be connected to a second display operable to display the obtained information";
- a portable remote controller device includes "a first display operable to display information sent from the main device"; and
- "the main device determines whether the second display displays the obtained information based on the display switching signal sent from the remote controller device."

These features are not disclosed or suggested by the combination of Ballantyne and Russell-Falla.

Applicants' previously argued that Ballantyne does not disclose the second display device connected to the main device. In response to this argument the rejection of claim 2 appears to improperly rely upon the same element (i.e., the display of the PCS) of Ballantyne as corresponding to both the first and second displays.

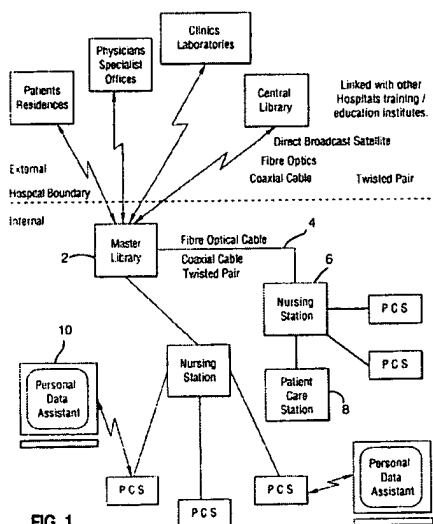
Specifically, the Office Action relies upon the master library ML of Ballantyne as corresponding to the claimed main device and the PCS of Ballantyne as corresponding to the claimed remote controller device.¹ The Response to Arguments section and the body of the rejection cite the display of the PCS as corresponding to the second display.² The rejection also cites the display of the PCS as corresponding to the first display.³ As clearly illustrated in Figure 1 of Ballantyne (reproduced below), the PCS is distinct from the master library ML, and thus cannot be interpreted as the claimed second display that is

¹ Page 3 of the Office Action.

² Pages 2 and 4 of the Office Action.

³ Page 3 of the Office Action.

connected to the main device. Nor is it proper to interpret the display of the PCS as corresponding to both the claimed first and second display devices.



Accordingly, the citation in the Office Action to the display of the PCS is not relevant to the claimed second display device, which is connected to the main device. In the absence of a disclosure or suggestion of a second display device connected to the master library ML, that is a distinct display device from that of the PCS, the rejection of Applicants' claim 2 is improper and should be withdrawn. Russell-Falla does not remedy this deficiency of Ballantyne.

Additionally, assuming for the sake of argument that Ballantyne disclosed a second display connected to master library ML, Ballantyne does not disclose that a “display switching signal sent from the” PCS is used by master library ML to determine whether to display the obtained information.⁴

⁴ This should not be interpreted as an admission that Ballantyne discloses or suggests a second display connected to master library ML, but instead is merely presented to further highlight why the claims are not obvious in view of Ballantyne.

Independent claims 22 and 24 recite methods with similar elements to those discussed above and are patentably distinguishable over the combination of Ballantyne and Russell-Falla for similar reasons.

Claim 6, like claim 2, recites that “the main device is configured to be connected to a second display operable to display the obtained information.” Thus, claim 6 is patentably distinguishable over Ballantyne for similar reasons to those discussed above.

Moreover, Ballantyne does not disclose that “the remote controller device further includes a display disabling section that disables the first display to display the sent information when the appended identification code is not in conformity with the stored identification code.”

Applicants’ have previously argued this claim element is not disclosed by Ballantyne, and the Office Action does not address Applicant’s previous arguments. In fact, the rejection of claim 6 does not even address this claim element. Accordingly, the rejection of claim 6 is improper because it does not even address all of the elements recited in this claim. Nevertheless, it is respectfully submitted that the combination of Ballantyne and Russell-Falla does not disclose or suggest a remote controller device with a display disabling section. Thus, claim 6 is patentably distinguishable over the combination of Ballantyne and Russell-Falla for this additional reason.

Claims 4, 5, 7-12, 16, 18-20, 23, 25 and 26 variously depend from claims 2, 6 and 22, and are patentably distinguishable over the current grounds of rejection at least by virtue of this dependency.

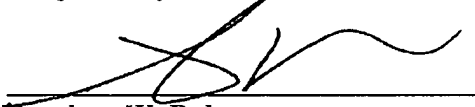
For at least those reasons set forth above, it is respectfully requested that the rejection of claims 2, 4-12, 16, 18-20 and 22-26 for obviousness in view of the combination of Ballantyne and Russell-Falla be withdrawn.

If there are any questions regarding this response or the application in general, a telephone call to the undersigned would be appreciated since this should expedite the prosecution of the application for all concerned.

If necessary to effect a timely response, this paper should be considered as a petition for an Extension of Time sufficient to effect a timely response, and please charge any deficiency in fees or credit any overpayments to Deposit Account No. 05-1323 (Docket # 038849.49341).

Respectfully submitted,

December 29, 2008



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